

Agenda Date: October 26, 2005
Item Numbers: A9 through A25

Dockets: UT-053053 through UT-053062
UT-053064 through UT-053070

Company Name: Verizon Northwest, Inc. and parties

Staff: Deborah Reynolds, Telecommunications Regulatory Analyst
Kristen Russell, Telecommunications Regulatory Analyst
Tom Wilson, Telecommunications Policy Analyst

Recommendation

Take no action on the commercial agreements filed by Verizon Northwest Inc., in Docket Nos. UT-053053 through UT-053062 and UT-053064 through UT-053070.

Background

On August 11 and 23, 2005, Verizon Northwest Inc., filed sixteen unbundled network element platform (UNE-P) replacement agreements and one line sharing agreement as commercial agreements not requiring the approval of the Commission. (See Attachment A)

Discussion

Staff review of the UNE-P replacement agreements found that the agreements provide competitive local exchange carriers with access to the combination of network elements that comprise mass market UNE-P. The Federal Communications Commission (FCC) has removed two of those elements, mass market switching and shared transport, from the "list" of elements that incumbents must provide to requesting carriers on an unbundled basis pursuant to 47 U.S.C. § 251(c)(3). *See* 47 C.F.R. § 51.319. The third network element included in the UNE-P combination, the copper loop, although still required by the FCC to be provided to requesting carriers on an unbundled basis, is no longer required to be provided in combination with switching and shared transport as part of a UNE-P arrangement (i.e., as part of a finished wholesale service). Carriers wishing to obtain unbundled copper loops at TELRIC rates from Verizon Northwest for use with the competitive carrier's own switching may do so by adopting any of a number of Commission-approved interconnection agreements that provide such access. Thus, it is Staff's analysis that these agreements are not interconnection agreements subject to filing and approval requirements under Section 252 of the Telecommunications Act of 1996.

In Docket No. UT-053005 the Commission found that commercial line sharing agreements are not interconnection agreements subject to Section 252 filing obligations. Staff believes the line sharing agreement between Verizon and MCImetro Access Transmission Services, LLC in Docket No. UT-053058 is essentially the same as the line sharing agreement in Docket UT-053005, therefore, the commercial line sharing agreement filed by Verizon in Docket No. UT-053058 does not require action by this Commission to approve it under Section 252 of the Telecommunications Act of 1996.

Conclusion

Take no action on the commercial agreements filed by Verizon Northwest Inc., in Dockets UT-053053 through UT-053062 and UT-053064 through UT-053070.